

No. 6.

Department of Trade and Customs, Wellington, 13th February, 1908.

The Collector of Customs, Auckland.

REFERRING to your letter of the 3rd December last, I enclose herewith for your information and guidance copy of a letter to the local director, Waihi Gold-mining Company (Limited), Auckland, in connection therewith.

W. T. GLASGOW,
Secretary and Inspector.

Read and approved.—J. A. M. 14/2/08.

No. 7.

Waihi Gold-mining Company (Limited), Shortland Street, Auckland,
6th March, 1908.

SIR,—

Re Hoisting-skips or Buckets.

I am duly in receipt of letter No. 1907/1918 from the Secretary of your Department in which I was exceedingly surprised and, indeed, particularly sorry to find that his communication practically reversed what the Hon. Thorne George and I understood you to decide in respect to duty on our hoisting-skips.

So far as the manufacture of this machinery is concerned, it truly might be made in the country in future; but up to the present no such article ever has been made in New Zealand, for it is absolutely the first of its kind in use here, and we had no plans or patterns from which to copy.

I would also respectfully point out that your exclusive jurisdiction on the interpretation of whether this is mining machinery does not apply to this shipment, as it was entered on the 23rd September, 1907, while clause 23 of the Tariff Act only came into force on the 25th September, 1907.

We are convinced that previous decisions of the Court would cover these skips as being mining machinery in the true sense of the word, and, as your own idea regarding them when we interviewed you on the subject certainly seemed to be in line with those decisions, we would ask you to again review the matter, and permit the free entry of the goods under the old heading even if not under the new.

If more skips are required, we, and others, now have plans and patterns from which they can be made, and your contention that, in future, they can be made in the Dominion would have force, which it hardly has till our manufacturers have the necessary details available to assist them.

I respectfully urge that we are entitled to your further consideration in this matter, and that, as it really comes under the old tariff heading, no precedent is established under the new by admitting our hoisting-skips duty free.

With apologies for again addressing you,

I am, &c.,
CHAS. RHODES,
Local Director.

Hon. J. A. Millar, Minister of Customs, Wellington.

No. 8.

(Telegram.)

Re your letter 1848, what is the date of the entry for this hoisting-skip?

Wellington, 16/3/08.

Collector Customs, Auckland.

RICH. CARTER,
For Secretary.

(Telegram.)

WAIHI hoisting-skips *ex* "Zealandia" reported 20th September, 1907; sight entry passed 23rd September, 1907. Awaiting final decision before completion.

Secretary Customs, Wellington.

Auckland, 17/3/08.

J. MILLS, Collector.

No. 9.

Hon Minister.

It is now shown that this hoisting-skip was delivered two days before the passing of the Tariff Act, and Mr. Rhodes's contention that you cannot (in respect of this importation) exercise the power given by section 23 seems to be valid. The question arises whether the wording of the resolution of the 23rd August (which is identical with tariff item 401) is sufficiently explicit, without the application of section 23, to exclude hoisting-skips. This is sufficiently doubtful to suggest the expediency of giving way as to this particular importation. I recommend that Mr. Rhodes be informed that, although the heading relating to mining machinery as it appears in the resolution is quite sufficient of itself to bar the free entry of hoisting-skips, the Minister, in consideration of the company's claim, and of their assurance that no precedent is sought to be established, agrees to the free admission of the shipment under question.

RICH. CARTER,
For Secretary and Inspector.
18/3/08.

Reply accordingly.—J. A. M. 24/3/08.